

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

KANNAN NAGARAJAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:24CV897
	)	
PETRIE CONSTRUCTION, LLC, et al.,	)	
	)	
Defendants.	)	
	)	

ORDER

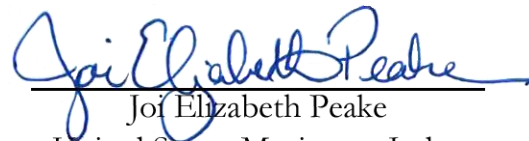
This matter is before the Court on Plaintiff's Motions to Compel Discovery [Doc. #28, #29]. However, discovery has not yet commenced in this case. There are motions to dismiss pending, the case has not been set for an Initial Pretrial Conference, and no Scheduling Order has been entered. Further, Plaintiff's requests for a Temporary Restraining Order and Preliminary Injunction were denied by the District Judge. In the circumstances, the motions to dismiss will need to be considered before the Court determines whether there is any claim that could or would proceed to discovery. Therefore, Plaintiff's discovery requests are premature, and the Motions to Compel will be denied.

The Court also notes that Plaintiff's Motion for Default Judgment [Doc. #10] is still pending. However, the Clerk denied entry of default, so the Motion for Default Judgment will be terminated as moot. To the extent Plaintiff contests the Clerk's determination, the Court concludes that Defendant Petrie Construction's Motion to Dismiss was timely filed, in light of the date of acceptance of service on November 25, 2024 [Doc. #30-2 at 3-4].

IT IS THEREFORE ORDERED that Plaintiffs' Motions to Compel [Doc. #28, #29] are DENIED as discovery has not yet commenced in this case.

IT IS FURTHER ORDERED that Plaintiff's Motion for Default Judgment [Doc. #10] is denied as moot in light of the denial of entry of default.

This, the 4<sup>th</sup> day of March, 2025.

  
Joi Elizabeth Peake  
United States Magistrate Judge